

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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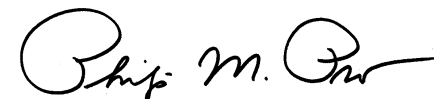
LINWOOD EDWARD TRACY, JR.,)	3:09-CV-00238-PMP-VPC
Plaintiff,)	
v.)	
BRIAN E. SANDOVAL, individual)	<u>ORDER</u>
Defendant.)	

Before the Court for consideration is the Motion to Dismiss (Doc. #9), filed on June 5, 2009, by the United States of America on behalf of Defendant Brian E. Sandoval.

The Court finds that because Defendant Judge Brian E. Sandoval enjoys immunity from suit for actions performed within his judicial capacity, and that Judge Sandoval acted within his jurisdiction, dismissal of Plaintiff Tracy's Complaint is warranted under Rule 12(b)(6), and Rule 8(a)(2) of the Federal Rules of Civil Procedure.

IT IS THEREFORE ORDERED that the Amicus Motion filed by the United States of America on behalf of Defendant Brian E. Sandoval (Doc. #9) is GRANTED.

DATED: June 30, 2009.



PHILIP M. PRO
United States District Judge